IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 1545 (SS) OF 2005

(Old No. 5934 of 1998)

1. Yatendra Pal Singh, son of Ranvir Singh,
   Working as Punp Operator in
   Kumaon Jal Sansthan, Bazpur, Udham Singh Nagar.
2. Jugal Kishore Sharma, son of Brijnandan Sharma,
   working as Pump Operator at Kumaon Jal Sansthan,
   Jagatpur Patti, Udham Singh Nagar.
3. Kripal Singh, son of Ballu Singh,
   working as Pump Operator at Kumaon,
   Jal Sansthan, Behari Pey Yojna, Jaspur,
   Udham Singh Nagar.
4. Vikram Singh, son of Kallu Singh,
   working as Pump Operator at
   Kumaon Jal Sansthan, Udham Singh Nagar.
5. Sher Singh, son of Ram Chandra,
   working as Pump Operator at
   Kumaon Jal Sansthan, Jaspur,
   Udham Singh Nagar.
6. Hetram Singh, son of Chhidda Singhm,
   working as Pump Operator in the
   Kumaon Jal Sansthan, Mahuakhera Pey Jal Yojna,
   Kashipur , Udham Singh Nagar.
7. Radhey Lal, son of Shri
   working as Pump Operator at Kumaon Jal Sansthan,
   Kashipur, Udham Singh Nagar.
8. Sanjai Kumar, son of Baburam,
   working as Pump Operator in
   Kumaon Jal Sansthan, Kashipur ,
   Udham Singh Nagar.
9. Khara Singh, son of Narain Singh,

working as Pump Operator in the Kumaon Jal Sansthan, Kashipur, Udham Singh Nagar.

10. Rajesh Sharma, son of Devdutt Sharma, working as Pump Operator in the Kumaon Jal Sansthan, Kashipur, Udham Singh Nagar.

11. Jagdish Kumar, son of Ram Sharan, working as Pump Operator in the Kumaon Jal Sansthan, Kashipur, Udham Singh Nagar.

12. Santosh Saxena, son of Sri
working as Pump Operator in the
Kumaon Jal Sansthan, Kashipur,
Udham Singh Nagar.

13. Shiv Mohan, son of Ram Kumar,
working as Pump Operator in the
Kumaon Jal Sansthan, Kashipur,
Udham Singh Nagar.

14. Magan Singh, son of Shri
working as Pump Operator in the
Kumaon Jal Sansthan, Kela Khera,
Pey Yojna, Bazpur, Udham Singh Nagar.

15. Har Prasad, son of Udham Singh,
working as Pump Operator in the
Kumaon Jal Sansthan, Sultanpur Bazpur,
Udham Singh Nagar. .....Petitioners.

Versus

1. State of U.P., through the Secretary, Nazar Vikas, Civil Secretariat, Lucknow.
2. Maha Prabhandhak, Kumaon Jal Sansthan, Nainital.
3. Executive Engineer, Kumaon Jal Sansthan, Udham Singh Nagar. .....Respondents.

23.12.2005

Hon'ble Rajesh Tandon, J.

Heard learned counsel for both the parties.

Both the parties have agreed that let the matter be finally disposed of at the admission stage.

By the present writ petition, the petitioners have prayed for a writ of mandamus directing the opp. Parties to pay the salary to the petitioners on the post of Pump Operator at the scale of Rs. 825-15-900-EB-1200/- per month. Further the petitioner have prayed for a writ or mandamus directing the Opposite Parties to pay the difference of arrears of salary to the petitioner on the post of Pump Operator since the date of their initial appointment.

Briefly stated, the petitioners were appointed on the post of Pump Operator between the years 1975 to 1986 and were working on their post of Pump Operator continuously.

Learned counsel for the petitioners have submitted that the work and conduct of the petitioner was always upto the satisfaction of their superior officers.

The petitioners have submitted that the opposite party no. 2 has regularized their services but the opposite parties are paying only Rs. 750/--12-870-EB-14940/- scale to the petitioners.

The writ petition was filed as back as in the year, 1998.

Learned counsel for the petitioners has submitted that during the pendency of the writ petition, various promotions have taken place, but the petitioners have not been considered.

In this respect the petitioners have made several representations, but till today no action has been taken by them.

However, liberty is given to the petitioners to file a fresh representation along with the old one regarding his grievances before the authority concerned.

In view of the aforesaid facts and circumstances, the respondents are directed to decide the representation filed by the petitioner (Annexure No. 1 to the Application No. 12447 of 2005) along with the fresh representation suitably within a period of two months from the production of the certified copy of the order.

Writ petition is disposed of accordingly. No order as to costs.

(Rajesh Tandon, J.)

23.12.2005
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